

Appl. No. 10/767,599
Amdt. dated Apr 18, 2005
Reply to Office action of Mar 24, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2. This sheet, which includes Fig. 1-2, replaces the original sheet including Fig. 1-2. In Figure 2, item 85 all outlet plug has been added.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

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REMARKS/ARGUMENTS

Figure 2 was modified to show the external power plug. This was performed by including item 85 in the figure and was supported in the claims.

Claim 1 was modified as shown below.

Claim 1 (Amended): A picture frame with integrated power control and lighting comprising;

a frame structure capable of retaining a replaceable image,
at least one power storage device located within the frame structure,
a variable power control device located within the frame structure,
at least one light source located in front of the image located within the
frame structure, and
an electrical connection located within the frame structure that connects
the variable power control mechanism and the light source to vary
the intensity of the light source.

These changes require that the power control device is a variable power control device that allows the light source to vary the intensity of the light source.

These changes are supported in the specifications with light sensor item 30 that is a cadmium cell that allows the intensity of the light source to be variable. The power control device, item 19, disclosed in patent 5,313,724 is a

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binary switch that is either on or off and does not provide for the intensity of the light to be varied.

Claim 8 was modified as shown below.

Claim 8 (Amended): A picture frame with integrated lighting comprising;
a frame structure capable of retaining a replaceable image,
a power source located external to the frame structure,
at least one light source located within the frame structure and in front
of the image such that the illumination from the light shines on the
front of the replaceable image, and
an electrical connection located within the frame structure that connects
the power source to the light source wherein the intensity of the
light source is at least partially controlled by the intensity of the
light external to the picture frame.

These changes require that the intensity of the light source is at least
partially controlled by the intensity of the light external to the picture frame.

These changes are supported in the specifications with light sensor item
30 that is a cadmium cell that allows the intensity of the light source to be
variable. Intensity of the light disclosed in patent 5,313,724 is from a binary
switch that is turned either on or off based upon the setting of the binary switch.

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Both claim 10's were withdrawn to eliminate the antecedent objection for the "retaining mechanism".

Claim 15 was modified as shown below.

Claim 15 (Amended): A method of providing front illuminating of a picture or image comprising;
providing a frame structure that can retain an image,
providing a solar charged power source,
providing a light source, and locating the light source within the frame and in front of the image, and
providing an electrical connection from the solar charged power source to the light source within the frame structure.

These changes require that the power source be solar charged.

These changes are supported in the specifications with silicon solar cell item 110 that provides for charging of the batteries. Charging of the batteries disclosed in patent 5,313,724 is may be performed with connection to the external power outlet, but charging from a solar chargeable power source is not disclosed.

Claim 18 was modified as shown below.

Claim 18 (amended): The solar charged power source from claim 15 wherein the solar charged power source is ~~from an electrical outlet~~, batteries,

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storage capacitors or other solar chargeable power supply that is capable of providing electrical power.

These changes correct the "electrical outlet" objection and support the solar chargeable power source added to claim 15. The storage capacitors is supported in claim 4.

Claim 22 was added to disclose desired elements of at least one of the claims 10. This was done with the addition of claim 22 to eliminate confusion regarding amendments to one of the two claim 10's.

Indefinite Rejections – (35 USC § 112)

The "retaining mechanism" from claim 10 has been eliminated by the deletion of claim 10.

Novelty (35 USC § 102)

The Office considers claims 1, 3-9 11-15 17-20 anticipated by Warner (US 5,313,724). The applicant disagrees based upon the changes made to claims 1, 8, 15 and 18.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (MPEP § 2131)

Based upon the above analysis, Warner lacks disclosure of each and every limitation of the claims as required by MPEP § 2131, namely that the

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variable control of the intensity of the illumination and the solar charging of the power source. Therefore, Warner fails to anticipate claims 1, 8, 15. Claims 3-7, 9, 11-14 and 17-20 are also not anticipated by Warner by virtue of their dependence on independent claims 1, 8 and 15.

Obviousness (35 USC § 103)

The Office considers claims 2, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warner, as applied to claims 1, 8 and 15 in view of Yu (5,265,357). The applicant disagrees based upon the changes made to claims 1, 8, 15 and 18 by virtue of their dependence on independent claims 1, 8 and 15.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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Attachments

Appl. No. 10/767,599

Amdt. dated Apr 18, 2005

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Appl. No. 10/767,599

Amdt. Dated Jan 15, 2004

Reply to Office action of Mar. 18, 2005

Annotated Sheet Showing Changes

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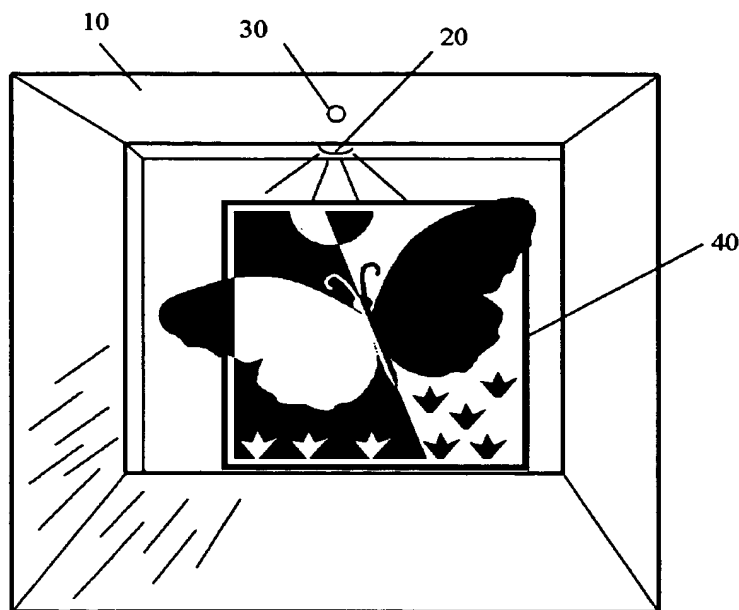


FIG 1

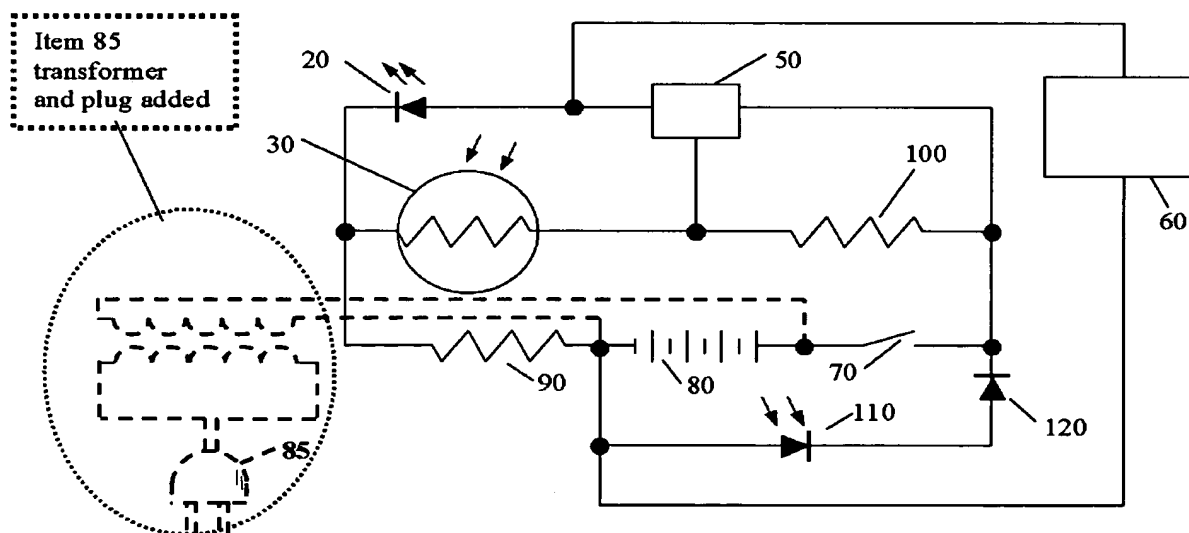


FIG 2

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